

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

DONTE MCCLELLON,

Defendant.

CASE NO. 2:22-CR-00073-LK

ORDER STRIKING PRO SE
FILING

Defendant Donte McClellon has filed a declaration in which he describes a meeting with his former attorney and attaches a letter from another individual who “share[s] a similar observation” about the same attorney. Dkt. No. 272 at 1; *id.* at 2–4.

As the Court has previously explained to Mr. McClellon, it is not appropriate for him to file documents pro se because he is represented by counsel. Dkt. No. 161 at 2. His declaration is not properly before the Court. *See Krongkiet v. Beard*, 597 F. App'x 416, 417 (9th Cir. 2015) (“[T]he trial court need not entertain [a pro se] motion while [a defendant] remained represented by counsel.” (citing *United States v. Bergman*, 813 F.2d 1027, 1030 (9th Cir. 1987))); LCrR 62.2 (A represented party “cannot appear or act on his . . . own behalf in that case, or take any step

1 therein, until after the party requests by motion to proceed on his . . . own behalf, certifies in the
2 motion that he . . . has provided copies of the motion to his . . . current counsel and to the opposing
3 party, and is granted an order of substitution by the court terminating the party's attorney as
4 counsel and substituting the party in to proceed pro se; provided, that the court may in its discretion
5 hear a party in open court, notwithstanding the fact that he . . . is represented by an attorney.”).

6 Accordingly, the Court STRIKES Mr. McClellon's declaration. Dkt. No. 272.

7 Dated this 11th day of March, 2024.

8 

9 Lauren King
10 United States District Judge
11
12
13
14
15
16
17
18
19
20
21
22
23
24